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Illinois Commerce Commission
RAIL SAFETY SECTION

Town of Cortland, Illinois
Quiet Zone Report
February 6, 2003

700-0005

175025E

175027T

175028A

Introduction

State law requires that every train must sound its whistle or horn from at least a quarter-mile ahead of a public highway crossing until the highway is reached, unless the Illinois Commerce Commission (ICC) has directed, following a hearing, that the rail carrier may be excused from giving this warning. In 1988 the ICC excused (but did not prohibit) the railroads from whistling at a majority of the crossings in Illinois which are provided with automatic flashing lights and gates and which had fewer than three accidents involving trains in the five years prior to the ruling, and this ruling included the three crossings in the Town of Cortland. Based on the ICC's excusing of our crossings from the whistle requirement, the Town in 1990 approved a "whistle ban" ordinance requiring the trains to use their whistles only when there was a "clear and present danger" and not as a routine measure at every crossing. The railroads, both Chicago & North Western and its successor Union Pacific (UP), honored our "whistle ban" until 1997. Our crossings remained as they had been with automatic flashing lights and gates. There were no pedestrian crossing gates. Despite the lack of what we now know as "supplemental safety measures" – which were not required at that time – we had a perfect safety record under the whistle ban, with no collisions of trains with vehicles or pedestrians.

In 1997 the UP stopped honoring our "whistle ban." A ruling from the circuit court and the appellate court determined that the Town did not have the authority to require that trains not whistle. The ICC excused the railroads, but it is up to the railroads – not the municipalities – to accept that excuse.

Implementation

Three years ensued during which the trains' whistles were blowing again in the Town of Cortland. Following many letters, telephone calls, meetings, and negotiations, and with technical assistance provided by the Federal Railroad Administration (FRA), the Town of Cortland submitted a Quiet Zone proposal to the UP. The railroad recognized that the Town's proposal met the guidelines which had been put forth by the FRA and agreed to honor the Quiet Zone upon implementation of the supplemental safety measures proposed by the Town, specifically the installation of median barriers and warning signs at our three rail-grade crossings. The proposal also included increased police enforcement and public awareness. Establishment of this Quiet Zone was possible for the Town only because the Union Pacific agreed to the proposal submitted by the Town and the ICC agreed to purchase the materials needed to meet the requirement for supplemental safety measures. The subject of this report is the Town's compliance with Stipulated Agreement #893 which the Town entered into with the ICC to procure funding for the median barriers required for the establishment of a Quiet Zone in the Town of Cortland.

In accordance with Stipulated Agreement #893 with the ICC, median barriers were installed at the three separate at-grade crossings in the Town of Cortland. The crossings are at Llanos Street (Crossing #175025E), Somonauk Road (Crossing #175027T), and Loves Road (Crossing

DOCKETED

#175028A). The median barriers consist of two components: a recycled plastic curb measuring 11 inches wide by 4 inches high, weighting at least 10 pounds per linear foot, and an air-panel measuring 42 inches high and 9 inches wide (see enclosed detail). The air panels are spaced 7 feet apart on the curbing.

The barriers were easily installed at the three crossings on a single day, June 27, 2000, by the Town's regular maintenance personnel and immediately put into service. The manufacture's requirements were followed as well as the approved plan, all in accordance with the attached sheets. The curb sections were bolted into position to provide for a permanent installation.

Evaluation

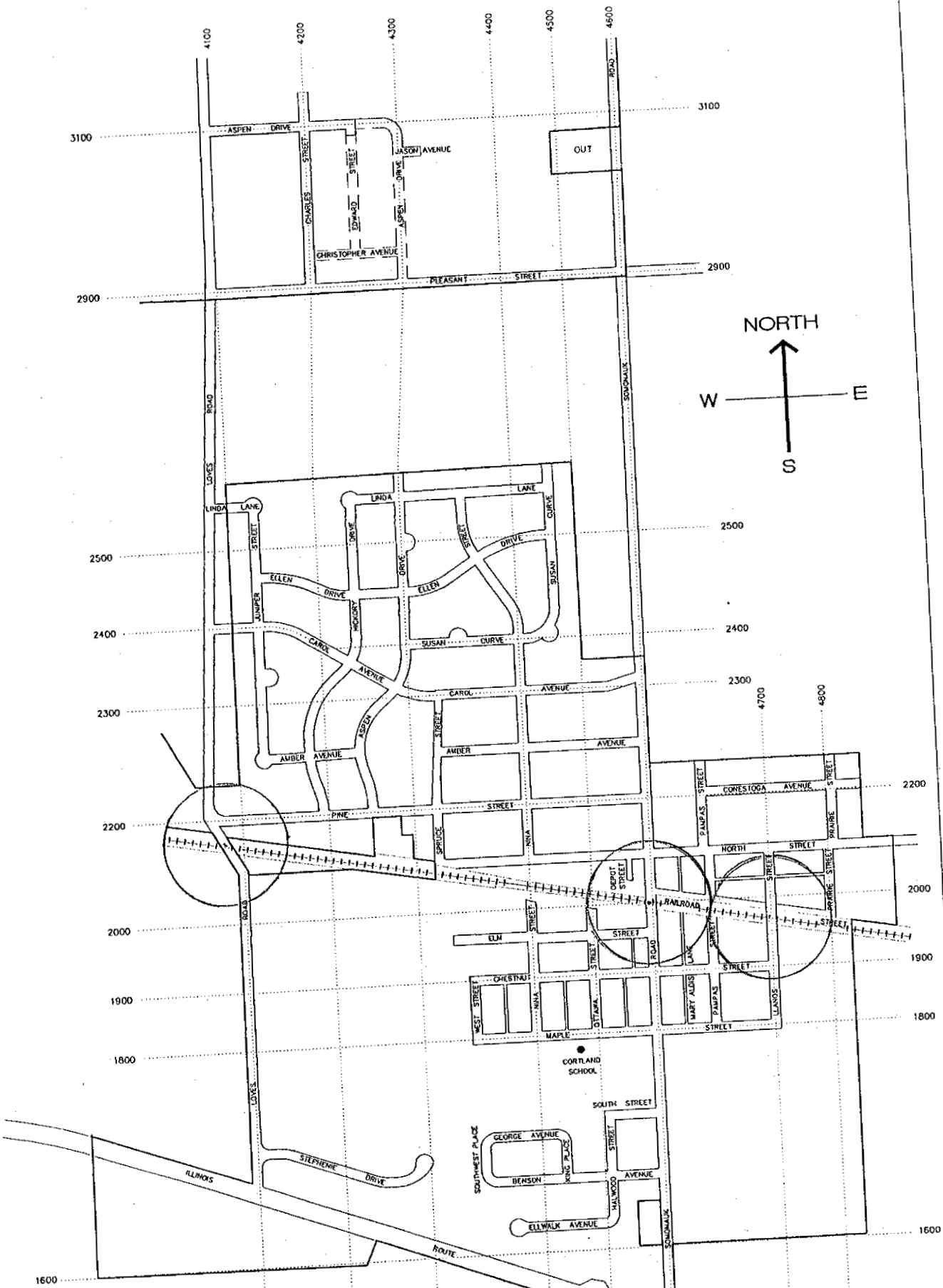
Concern was originally expressed that snow removal and vandalism would be a constant problem. However, the Town's Director of Operations & Maintenance has found that snow removal has not been a problem; maintenance personnel simply plow to the outside, away from the pylons, and salting is done in two passes through the crossings, since the curbing prevents the salt from scattering across both lanes. When the median barriers are dirty, they can easily be washed off with the jetter truck. Minor vandalism occurred initially, with several air panels stolen; new methods of securing the air panels to the curbing were implemented, and the problem has not recurred.

One unexpected problem with the median barriers was the reaction of area farmers, who felt that moving their large farm equipment safely through the town's crossings would likely require a police escort to stop oncoming traffic to allow the use of both lanes, and that their equipment would be likely to damage the median barriers by straddling the lanes and crossing over the top of the barriers. To address this issue, the Town established a temporary route through our least busy crossing where the tractors can use the oncoming lane to approach the crossing, move diagonally through the crossing, and then use the correct lane on the far side of the crossing. Our main crossing is in the process of being upgraded by the state, and most farm implements will be able to use it following completion of the rebuilding of the road and crossing.

A crossing gate does occasionally malfunction, and the police must man the gates to allow traffic to continue moving until the Union Pacific maintenance personnel can correct the problem.

The Stipulated Agreement with the ICC also required monitoring of the gates and barriers by the local police to determine if the barriers have a safety concern. To facilitate the commitment made by the Board of Trustees of the Town of Cortland and the Cortland Police Department, a Railroad Safety Initiative (introduced as Operation Lifesaver) was instituted (see attached). This initiative set forth four commitments: (1) Trespass Prevention, (2) Railroad Crossing Enforcement, (3) Public Awareness/Education and (4) Records. Operation Lifesaver is dedicated to informing the public about the dangers and precautions concerning railroad crossings. This program is being taught throughout the State of Illinois. Police Chief Russell Stokes reports that drivers are respecting the barriers, and only a single driver has attempted to drive around the gates.

The Town of Cortland is happy to report that the Quite Zone is working very well. We would recommend the installation of the median barriers to improve rail-grade crossing safety to anyone wishing to create a Quite Zone in their community.



STREET MAP TOWN OF CORTLAND, ILLINOIS

DRAWING NUMBER: 9625STREET

ISSUED JULY 1, 1998

EXHIBIT A

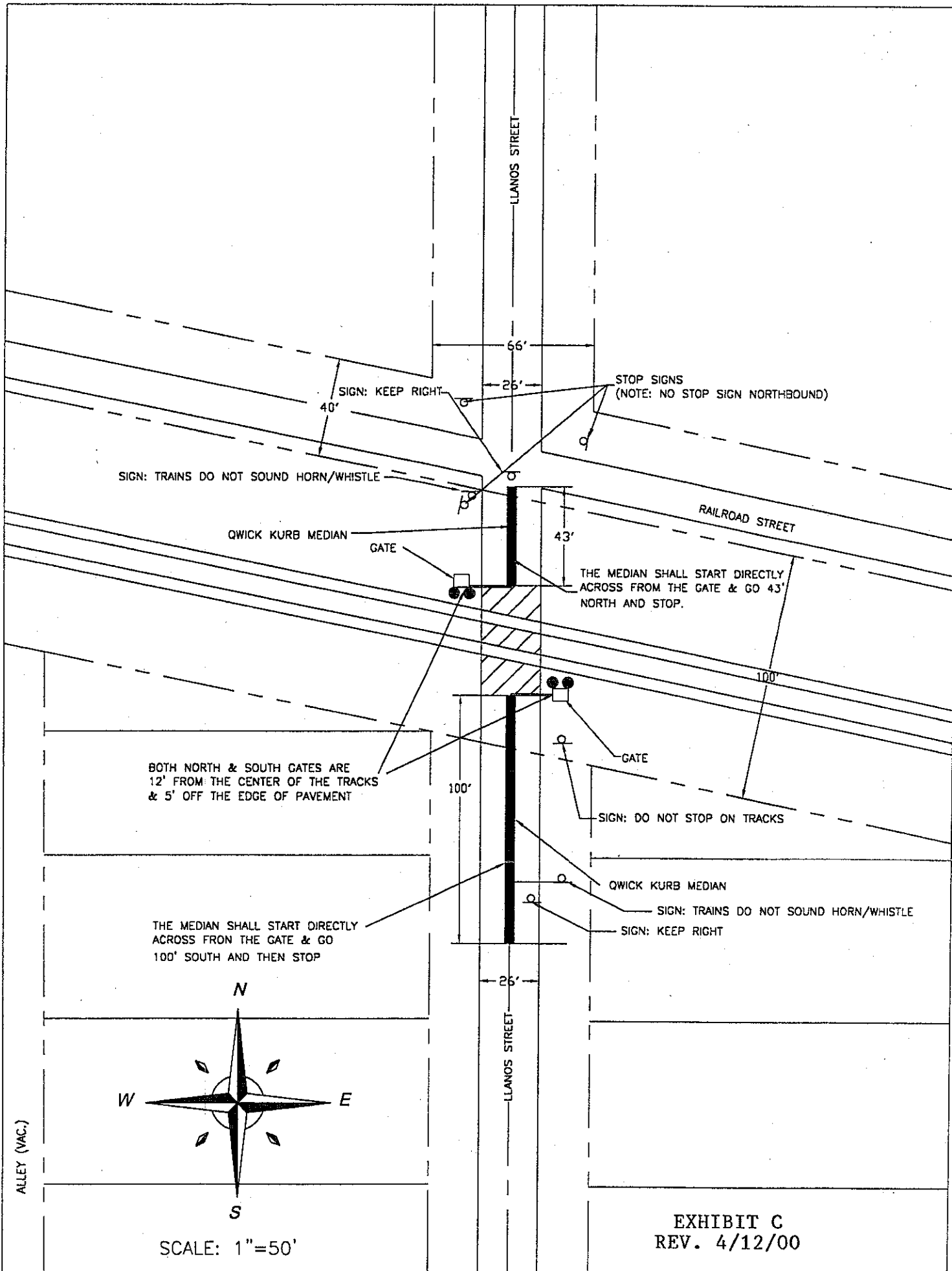
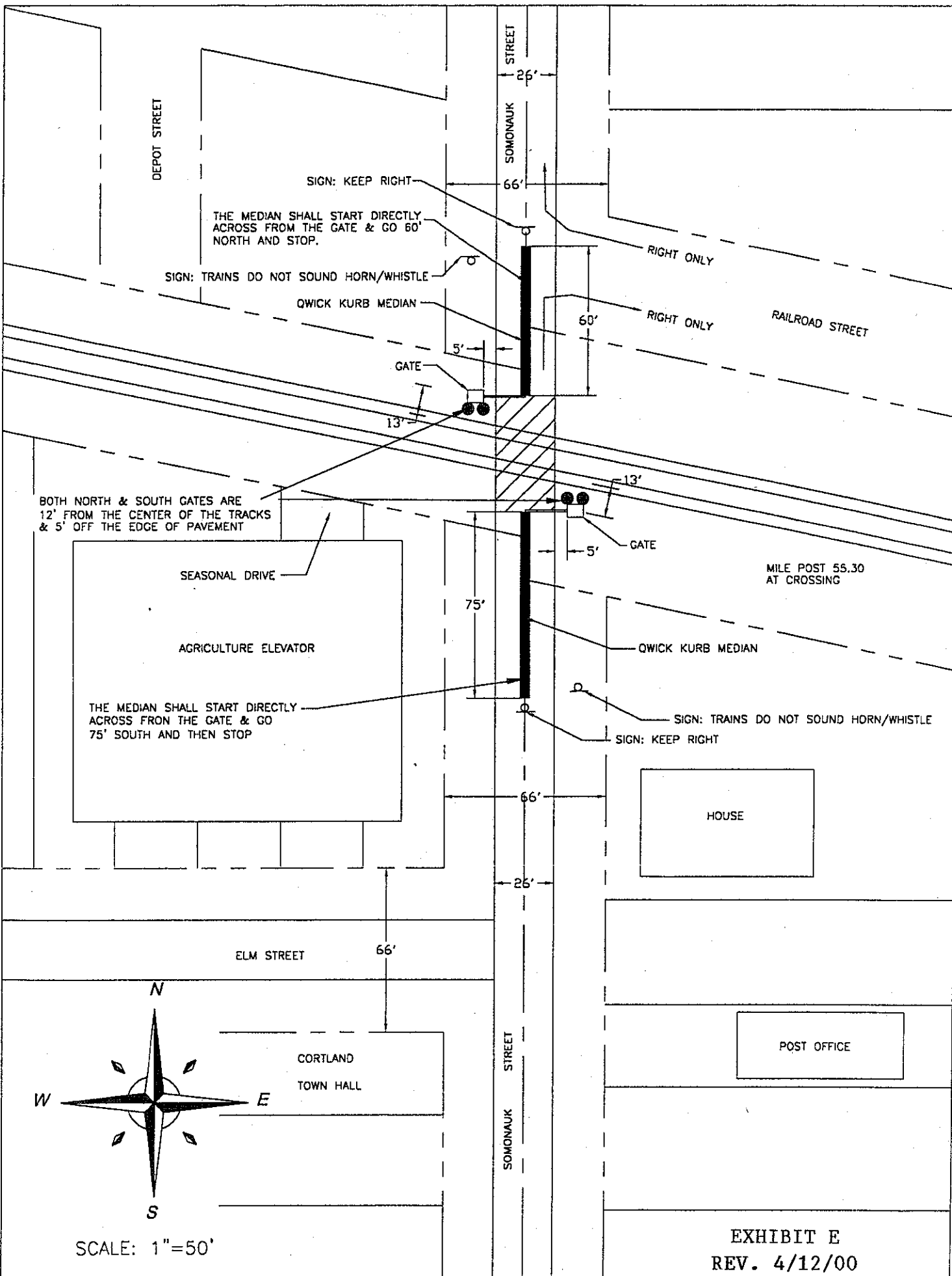
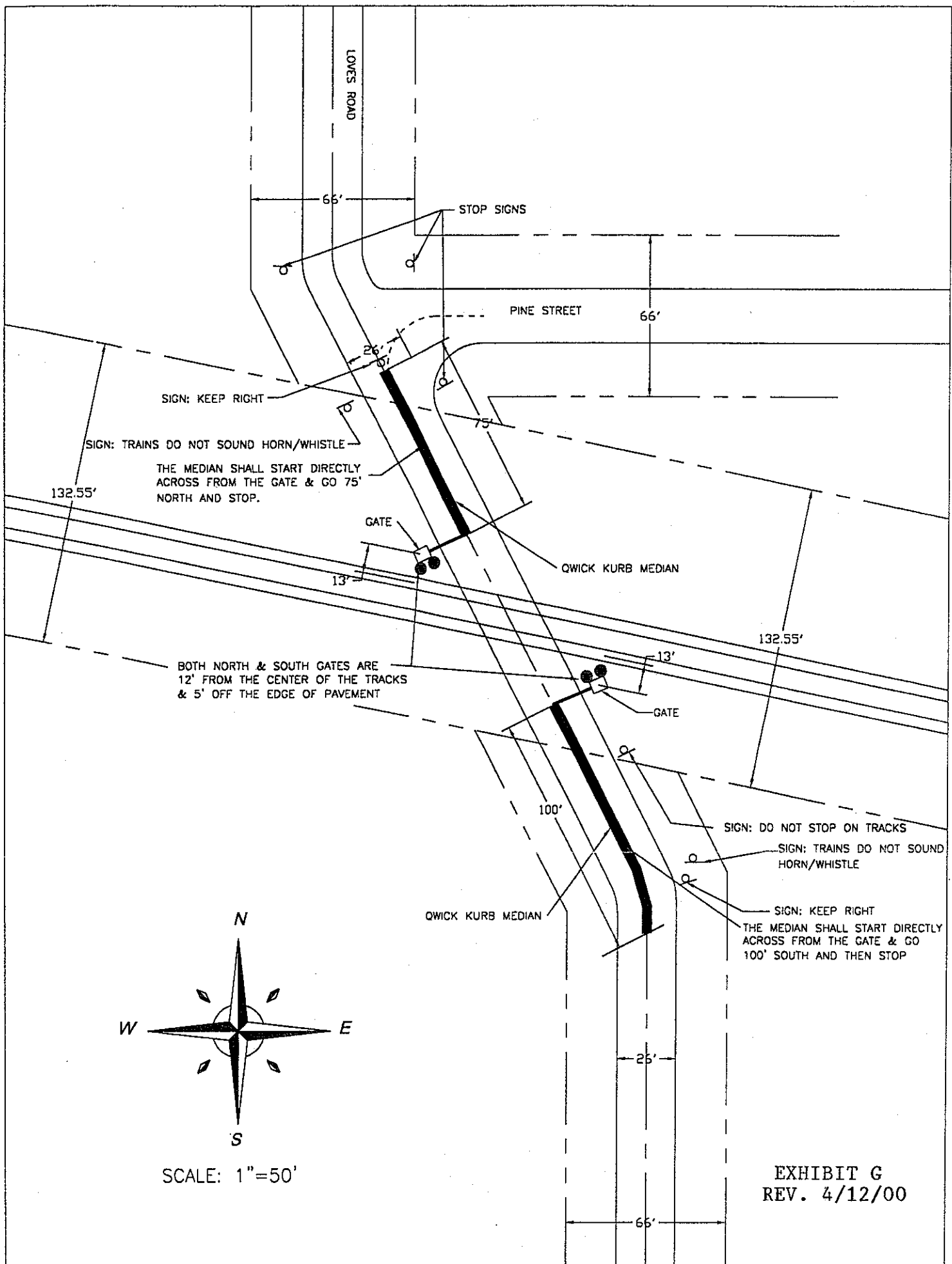
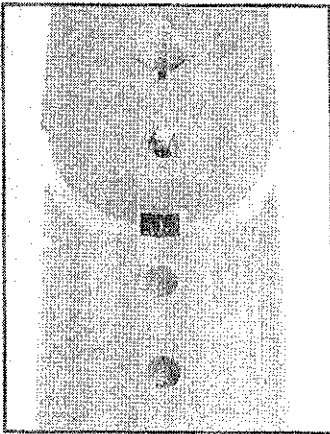
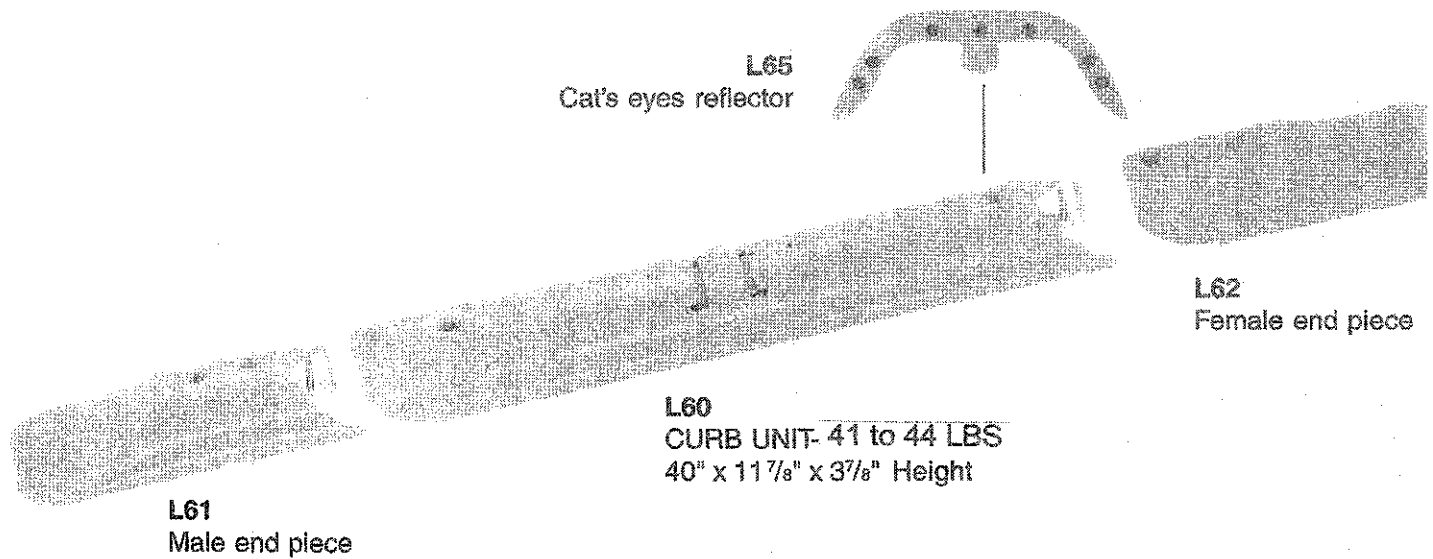


EXHIBIT C
REV. 4/12/00

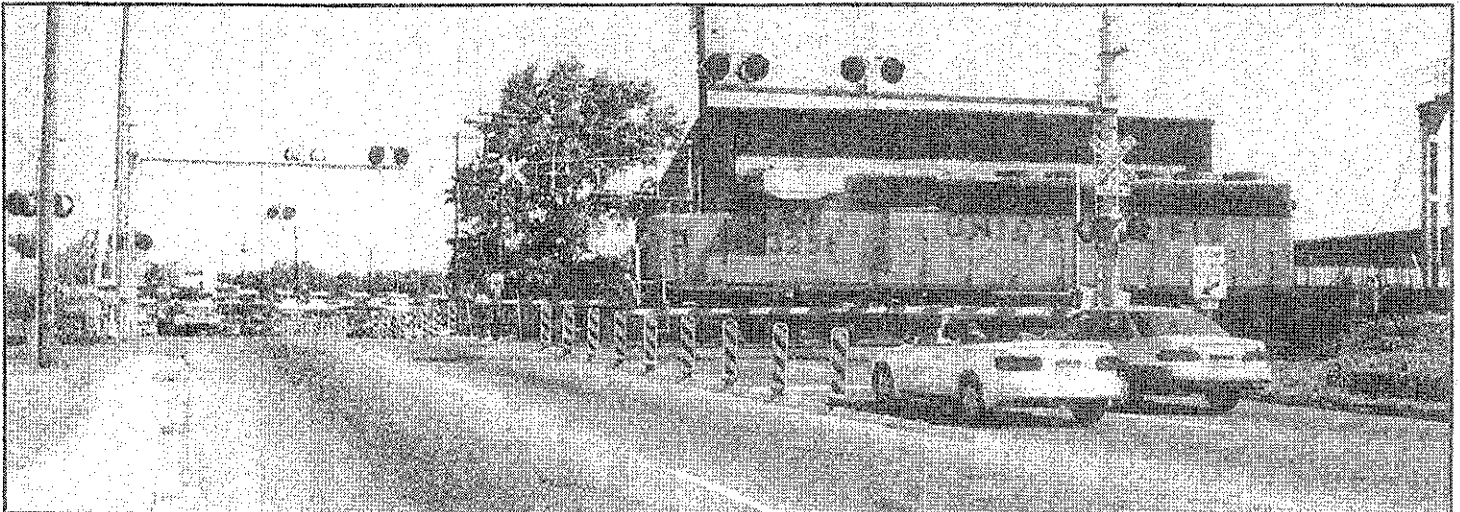




THE CURB



- Super bright Cat's eyes reflectors
- Reboundable delineators
- Firm connection of components by safety bolt
- With anti-slip system
- High positional stability
- Excellent night and day visibility
- Bases and delineators are interchangeable



Used at R x R crossings to deter drive arounds. Provides astounding 77% reduction in crossing violations.

Specifications for Median Separator System With Extra Durable Air Marker

Median Separator CURB

The median separator CURB shall be composed of a plastic material and shall be yellow to conform with the traffic separation pavement markings which they supplement. A yellow reflective arc shall be installed on each separator CURB section.

The separator should come in portable sections that can be easily fastened together for installation on the roadway surface. The CURB sections shall be connected together with bolts that screw into a connecting metal tongue. A section of separator CURB shall not exceed 48 inches in total length, 12 inches in width and 4 inches in height. The curb shall be designed with gently sloping sides to be mountable for emergency vehicles. Each section of CURB shall have a slot for installation of an air marker and a receptacle for a reflective arc. The reflective arc shall clearly define the profile of the CURB. The separator CURB shall be bolted with an expansion anchor to the roadway, to enable separator system to resist being displaced if impacted, and allowing the separator CURB to be easily removed for maintenance of the separator system or maintenance to the roadway.

CURB must be capable of being installed and removed by use of a conveyor system.

Median Separator Air Markers

The Air markers shall be composed of a high impact plastic, and accommodate reflective sheeting 28 to 30 inches in height and 7 to 8 inches in width. The top of the reflective sheeting shall begin 38 to 40 inches above the road surface when installed on the CURB. A detachable, flexible rubber boot shall connect the air maker to the separator CURB and will hold the air marker in a vertical position. The rubber boot shall have the capability to restore the air markers to their vertical position if struck by a vehicle.

The Air marker should be white in color and sheeted in a color to conform to the traffic separation pavement marking which they supplement. The reflective sheeting materials attached to the air markers shall consist of solid yellow or 3.5 to 4 inch yellow and black alternating stripes at a 45 degree angle, all facing right. The reflective material shall be a Type III, flexible sheeting that will have a smooth, weather resistant outer surface. The typical spacing of the air marker on the separator CURB should be one air marker approximately every two sections of curb.

S O P

CORTLAND POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Date: July 1, 2000

Number: 00-001

Supersedes:

Subject: RAILROAD SAFETY INITIATIVE

I. POLICY

In keeping with the mission statement of the Cortland Police Department, it is imperative that all members of the Police Department be committed to public safety and enforcement of the law. Through the use of policing techniques such as crime prevention and problem solving, the Police Department will be an integral part of improving and maintaining the quality of life in the Town of Cortland.

II. PURPOSE

The Town of Cortland has entered into a "Quiet Zone" agreement with the Union Pacific Railroad. This agreement has been reached after years of meetings involving the Town of Cortland, the Union Pacific Railroad, the U.S. Department of Transportation Federal Railroad Administration, the Illinois Department of Transportation, and the Illinois Commerce Commission. This agreement was reached, in part, due to the Town's commitment to enforcement of laws pertaining to the railroad crossings and railroad property, as well as public education initiatives pertaining to railroad safety. This agreement affects not only public safety, but it also positively affects the quality of life for those people residing in the Town of Cortland and those that conduct business or are visitors to Town.

III. PROCEDURES

In order to routinely satisfy the Town of Cortland's commitment to this agreement and enhance public and railroad safety, this Department will be actively engaged in the following activities effective July 1, 2000.

A. Trespass Prevention

All officers while on patrol will pay attention for people trespassing on the Union Pacific Railroad property. The locomotive engineer will sound the train horn/whistle to alert trespassers to the train's approach. This will also serve as an alert to the Officer to the presence of trespassers on the rail right-of-way. If possible, offender(s) will be identified by the Officer and enforcement action taken dependent

on the age of the offender and the circumstances. In each case, the incident of trespassing will be documented on an Incident Report with a disposition of the case.

B. Railroad Crossing Enforcement

All Officers while on patrol will pay strict attention for railroad crossing/trespass violators. Officers will overtly or covertly monitor the three rail crossings for motorists violating any law pursuant to Illinois Compiled Statutes Chapter 625 Act 5 Section 11-1201. The Cortland Police Department will exercise a zero tolerance policy in the enforcement of this statute. All Officers will note this selective enforcement effort on their Daily Activity Log and include location, times, and arrests if applicable.

All reports concerning railroad crossing violators brought to the attention of the Cortland Police Department by way of citizen witness or Union Pacific Railroad employees will be documented on an Incident Report and the violation investigated by the Officer. If identification of the offender is achieved and probable cause exists, an arrest will be made. The Officer will notify witnesses of the offender's court date.

C. Public Awareness/Education

The Cortland Police Department will continue to take part in Illinois Operation Lifesaver as a way of educating the public about railroad safety. The Police Department will continue to provide instructors, either through the Department or through Illinois Operation Lifesaver, Inc., to speak to grade school classrooms, scout groups, and community service groups. The Cortland Police Department will make available to the public railroad safety brochures provided by Illinois Operation Lifesaver, Inc.

D. Records

The Cortland Police Department, for the purpose of evaluating the effectiveness of this initiative, will keep records of reported trespassing on railroad property, reported railroad crossing violations, time dedicated to selective enforcement at railroad crossings, arrests, and public education classes.

By order of:



Russell C. Stokes
Chief of Police

Officers trained in railroad crossing safety

Friday, March 1, 2002

DeKALE — Eighteen police officers, representing the communities throughout DeKalb County, as well as the County Sheriff's Department, became certified as Operation Lifesaver presenters Feb. 20-21.

Operation Lifesaver promotes making safe decisions on highway-rail grade crossings and along railroad rights-of-ways.

The idea to get the group of local officers trained came from Cortland Chief of Police and DCP/SAFE Safe Communities Task Force member Russell Stokes.

After contacting the Illinois Commerce Commission, the coordinators of the state's Operation Lifesaver program and the Safe Communities Task Force met and the concept of a countywide educational blitz was brought to life.

"The demographics of DeKalb County, the number

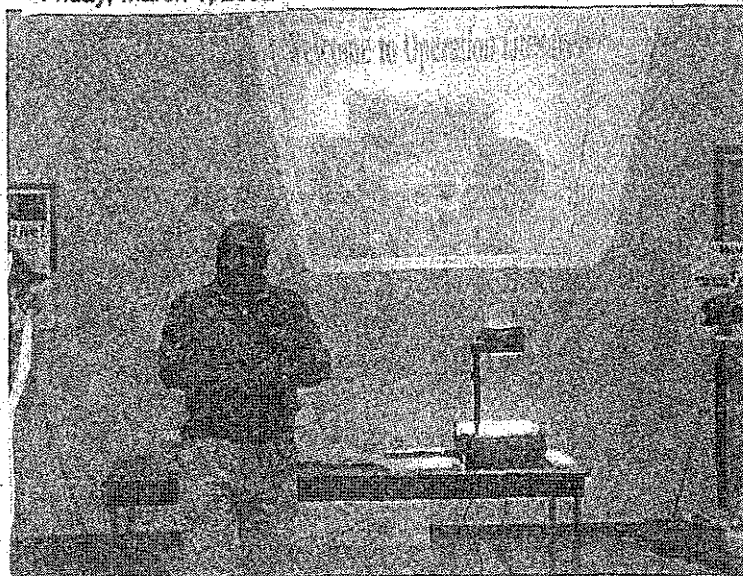
of officers trained and the constant need to educate the general public on railroad crossing safety make this program a win-win situation," said Chip Pew, the northern regional coordinator for the state's Operation Lifesaver program.

After completing the eight-hour training course, new presenters will be paired up with other certified presenters from the greater Chicago area to promote the grade crossing safety messages in a concentrated fashion.

Within each of the communities, targeted audiences or issues are defined and will host a county blitz on April 15-16.

This endeavor is unique and will serve as a template for additional counties to model after.

For more information, call the Illinois Commerce Commission office at (847) 940-0152.



Submitted photo

On Feb. 20-21, Zeke Rodriguez of the Federal Railroad Administration helped train 18 county police officers to become Operation Lifesaver presenters. Operation Lifesaver is an organization dedicated to informing the public about dangers and precautions concerning railroad crossings. In April, the new group of presenters will cover the county with railroad crossing presentations to groups of all ages.